

Wednesday, June 9, 1937

No. 110

DEPARTMENT OF LABOR.

United States Employment Service.

RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE ACT OF JUNE 6, 1933, PROVIDING FOR THE ESTABLISHMENT OF A NATIONAL EMPLOYMENT SYSTEM AND FOR COOPERATION WITH THE VARIOUS STATES IN THE PROMOTION OF SUCH SYSTEM

JUNE 7, 1937.

Pursuant to the authority conferred by Section 12 of the Act of June 6, 1933 (48 Stat. 113; U. S. C., Title 29, Sec. 49K), commonly called the Wagner-Peyser Act, the following rules and regulations are prescribed for the administration of the provisions of said act:

RULE 1—DEFINITIONS

In these rules and regulations the following words shall, unless otherwise stated, be considered as having the meaning herein defined:

- (a) "Federal Service" means the United States Employment Service;
- (b) "State Service" means a State Employment Service;
- (c) "Federal Director" means the Director of the United States Employment Service, Washington, District of Columbia;
- (d) "State Director" means the Director of a State Employment Service;
- (e) "Official forms" means forms provided by the United States Employment Service;
- (f) "Wagner-Peyser Act" means the Act of June 6, 1933.

RULE 2—DOCUMENTS TO BE FURNISHED BY A STATE SERVICE

Each State Service shall submit the following documents to the Federal Director:

- (a) A certified copy of the act of the State legislature accepting the provisions of the Wagner-Peyser Act;
- (b) Certified statements on official forms of all amounts of State and local funds appropriated or otherwise made available for expenditure by the State Service and to be matched by Federal apportionments. The certificates shall be signed by the State Treasurer, or by the Treasurer of the local subdivision or by the proper custodian of the available funds;
- (c) State plans of cooperation prepared on official forms, which shall include the following information and data:
 - (1) A statement of acceptance by the State Service of these rules and regulations;
 - (2) A statement of the organization of the State Service, showing—
 - A. Of what department or agency of State Government the State Service is a part;
 - B. The line of administrative authority from the chief administrative officer of the State Service to higher officials in the State government;
 - C. The delegation of responsibility and lines of authority expected to be followed within the State Service during the period covered by the plans;

(d) Such organization charts as will accurately present the form of organization and the lines of authority and responsibility;

(e) The designation of that official or agency having legal authority to make appointments of personnel in the State Service as defined in State law, or as properly delegated in accordance with State law;

(f) The statement of the location of, and area served by, all existing and proposed offices of the entire public employment service system of the State;

(g) The detailed budget of estimated income and expenditure for the entire public employment service system of the State during the period covered by the plans;

(h) Provision for cooperation between the State board, department or agency which is charged with the administra-

tion of State laws for vocational rehabilitation of physically handicapped persons and the State Service (in each State where such a State board, department or agency exists).

RULE 3—APPROVAL OF STATE PLANS

Notice of approval by the Federal Director of the plans submitted by the legally designated State agency shall be in the form of an "Agreement of Affiliation" between the State Service and the Federal Service, which agreement shall incorporate the complete statement of such plans.

RULE 4—ADMINISTRATION OF STATE SERVICES

Each State Service shall be under the direction of a State Director, or chief executive officer, who shall devote his full time to the activities of such service. These rules and regulations shall be applied uniformly by the State Director in the administration of the State Service.

RULE 5—FISCAL AFFAIRS, REPORTS AND AUDITS

(a) Fiscal affairs, preparation of budgets, maintenance of accounts and quarterly reports of expenditures, for the entire State employment service system, shall be conducted in accordance with the Bulletin of the Federal Service, entitled "Fiscal Rules and Regulations."

(b) The accounting records and the supporting data pertaining to expenditures for the entire State Service system shall be subject to audit by the Federal Service annually, or so often as the Federal Director may require.

RULE 6—MINIMUM STANDARDS OF EFFICIENCY

The following minimum standards of efficiency shall apply to each State Service, in all of its operations throughout the State;

- (a) The official name of the State Service shall be "----- State Employment Service Affiliated with United States Employment Service";
- (b) Personnel of the State Service and all employees assigned for duty with the State employment service system shall be selected and shall hold office in accordance with the State Civil Service laws, or in accordance with the Merit System of the Federal Service as provided in the bulletin of the Federal Service, entitled "Personnel Standards of the United States Employment Service";
- (c) The premises, layout, signs and equipment of the State Service offices shall conform with the standards stated in Employment Office Manual entitled "Premises, Layout and Equipment of Public Employment Offices";
- (d) The interviewing of applicants shall be conducted in accordance with principles indicated in Employment Office Manual entitled "Interviewing Applicants in Public Employment Offices";
- (e) All definitions and forms used by the State Service in connection with the placement process, maintenance of files, and preparation of reports shall be as prescribed in the following Employment Office Manuals:
 - "Registration Procedures",
 - "Procedures for Handling Employer Orders and Placements",
 - "Maintenance of Contacts with Applicants."

RULE 7—STATISTICS, CURRENT ACTIVITIES, AND RESEARCH

(a) Each State Service shall report current activities in accordance with the following Employment Office Manuals: "Preparation of Reports of Activities in Public Employment Offices",

"Occupational Titles and Codes for use in Public Employment Offices—Group Arrangement",

"Occupational Titles and Codes for use in Public Employment Offices—Alphabetic Arrangement",

"Industrial Classifications and Codes for use in Public Employment Offices",

(b) A member of the administrative staff of each State Service shall be charged with responsibility for the supervision of the reporting program in all offices of the State Service, and in each employment office a qualified member of the staff shall be charged with responsibility for administration of the reporting program.

(c) All research projects to be undertaken by the State Service which may involve the expenditure of Federal funds or of State funds appropriated to the State Service shall be referred to the Federal Service for approval before incorporation in the program of the State Service.

RULE 8—VETERANS' PLACEMENT SERVICE

Each State Service shall maintain a veterans' service to be devoted to securing employment for veterans. For that purpose it shall utilize as a member of its administrative staff, the State Veterans' Placement Representative of the Federal Service in the performance of the duties outlined in the "Guide for the Directors of State Employment Service and Veterans' Placement Representatives." Each State Service shall incorporate and coordinate the Veterans' Placement Service in all operating offices of its system.

RULE 9—FARM PLACEMENT SERVICE

Each State Service shall maintain a farm placement service. For that purpose it shall utilize as a member of its administrative staff the service of the State Farm Placement Supervisor, (in those States where such supervisors have been appointed by the Federal Service), in the performance of the duties outlined in the "Manual for Placement of Agricultural Labor". Each State Service shall incorporate and coordinate the Farm Placement Service in all operating offices of its system.

RULE 10—AFFILIATED EMPLOYMENT AGENCIES

A municipal, junior, or other public employment agency may be affiliated with a State Service, at the discretion of the State Director, and with the concurrence of the Federal Director, only if such municipal, junior, or other employment agency:

- (a) Becomes by agreement of affiliation with the State Service a part of the State-controlled system of public employment offices;
- (b) Is supported in whole or in part by funds made available by an agency of the State, or by a local subdivision;
- (c) Is administered by a public board or agency;
- (d) Accepts no fees for its service;
- (e) Does not duplicate the service provided by an office of the State Service;
- (f) Employs one or more workers giving full time to placement work, or to employment counseling;
- (g) Maintains its activities for the entire twelve months of the year.

RULE 11—INTERSTATE CLEARANCE OF WORKERS

Provision shall be made by each State Service for the interstate clearance of workers and of unfilled openings in accordance with instructions entitled "Procedures for Effecting Clearance of Workers in Public Employment Offices".

RULE 12—NOTICE OF STRIKES AND LOCKOUTS

Each State Service shall give notice of strikes and lockouts in accordance with the instructions entitled "Procedure for Giving Effect to the Provision of the Wagner-Peyser Act Regarding Strikes or Lockouts".

RULE 13—FREE TRANSMISSION OF OFFICIAL MAIL

It shall be the duty of each State Service, which becomes entitled to free transmission of official mail matter, to see that all offices of its system exercise that privilege subject to the requirements of law and of the regulations of the Post Office Department as well as subject to the rules of the Federal Service as stated in "Use of the Penalty Mailing Privilege by State Employment Services Affiliated with United States Employment Service".

RULE 14—ADVISORY COUNCILS

(a) A State Advisory Council shall be appointed for each State Service and shall function in accordance with the provisions of Section 11 (a) of the Wagner-Peyser Act and the "Specifications governing State Advisory Councils and State Employment Services affiliated with the United States Employment Service".

(b) Local Advisory Councils may be organized at the option of a State Service. When organized, they shall comply, in so far as practicable with "Specifications Governing Local Advisory Councils of State Employment Services affiliated with the United States Employment Service".

AMENDMENTS, SUPPLEMENTS, REPEALS

The foregoing rules and regulations may from time to time be amended, supplemented, or repealed by appropriate orders issued by the Director of the United States Employment Service, with approval of the Secretary of Labor.

[SEAL]

W. FRANK PERSONS,

Director of the United States Employment Service.

Approved:

FRANCES PERKINS,
Secretary.

[F. R. Doc. 37-1701; Filed, June 8, 1937; 12:42 p. m.]

DEPARTMENT OF AGRICULTURE.

Food and Drug Administration.

AMENDMENT OF AUGUST 27, 1935, TO FEDERAL FOOD AND DRUGS ACT, AND REGULATIONS FOR THE INSPECTION OF CANNED SHRIMP THEREUNDER

Secretary of Agriculture:

Under the authority conferred by the Amendment of August 27, 1935, to the Federal Food and Drugs Act (Sec. 10A), I recommend the adoption and promulgation, to become effective July 1, 1937, of the following revised regulations to supersede the former regulations governing the inspection of canned shrimp.

[SEAL]

W. G. CAMPBELL,

Chief, Food and Drug Administration.

Approved:

H. A. WALLACE,
Secretary of Agriculture.

June 8, 1937.

[Public—No. 346—74th Congress]

[S. 3194]

AN ACT

TO AMEND SECTION 10A OF THE FEDERAL FOOD AND DRUGS ACT OF JUNE 30, 1906, AS AMENDED

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10A of the Act entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", approved June 30, 1906, as amended, is amended to read as follows:

"Sec. 10A. The Secretary of Agriculture, upon application of any packer of any sea food for shipment or sale within the jurisdiction of this Act, may, at his discretion, designate inspectors to examine and inspect such food and the production, packing, and labeling thereof. If on such examination and inspection compliance is found with the provisions of this Act and regulations promulgated thereunder, the applicant shall be authorized or required to mark the food as provided by regulation to show such compliance. Services under this section shall be rendered only upon payment by the applicant of fees fixed by regulation in such amounts as may be necessary to provide, equip, and maintain an adequate and efficient inspection service. Receipts from such fees shall be covered into the Treasury and shall be available to the Secretary of Agriculture for expenditures incurred in carrying out the purposes of this section, including expenditures for salaries of additional inspectors when necessary to supplement the number of inspectors for whose salaries Congress has appropriated. The Secretary is hereby authorized to promulgate regulations governing the sanitary and other conditions under which the service herein provided shall be granted and maintained, and for otherwise carrying out the purposes of this section. Any person who forges, counterfeits, simulates, or falsely represents, or without proper authority uses any mark, stamp, tag, label, or other identification devices authorized or required by the provisions of this section or regulations thereunder, shall be guilty of a misdemeanor, and shall on conviction thereof be subject to imprisonment for not more than one year or a fine of not less than \$1,000 nor more than \$5,000, or both such imprisonment and fine."

Approved, August 27, 1935.

REVISED REGULATIONS FOR INSPECTION OF CANNED SHRIMP

EFFECTIVE JULY 1, 1937

Application for Inspection

1. Any packer of canned shrimp who desires inspection service, or the renewal thereof, under the provisions of section 10A of the Federal Food and Drugs Act shall make application therefor on a form supplied by the Food and Drug Administration. The application shall be accompanied by a payment of \$300, as prescribed by regulation 13 (b). Such payment shall be made in the form prescribed by regulation 13 (f).

Conditions and Equipment Required for Granting Inspection

2. (a) The Secretary of Agriculture, upon application by the packer, may grant inspection at the establishment covered by such application when he determines that the establishment complies with (b) to (m), inclusive, of this regulation.

(b) All exterior openings of the cannery shall be adequately screened, and roofs and exterior walls shall be tight. When necessary, fly traps or other approved insect control devices shall be installed.

(c) One or more suitable washing devices and one or more suitable inspection belts shall be installed for the washing and subsequent inspection of the shrimp before delivery to the picking tables.

(d) Picking and packing rooms shall be separate, and fixtures and equipment thereof shall be so constructed and arranged as to permit thorough cleaning. Such rooms shall be adequately lighted and ventilated, and the floors thereof shall be tight and arranged for thorough cleaning and proper drainage. Blanching tanks shall not be located in picking room. Open drains from picking room shall not enter packing or blanching room. If picking and packing rooms are in separate buildings such buildings shall not be more than 100 yards apart, unless, with the approval of the Food and Drug Administration, such conditions are maintained as will enable efficient inspection.

(e) The tops of picking and packing tables and the interior of washtanks, flumes, blanching tanks, brine tanks, and all utensils for handling shrimp shall be of metal other than lead or of other smooth, hard, non-porous material that can be readily cleaned. Metal seams shall be smoothly soldered.

(f) Suitable containers, flumes, chutes, or conveyors shall be provided for removal of offal from picking room.

(g) Adequate supplies of steam and of clean, unpolluted running water shall be provided for washing, cleaning, and otherwise maintaining the establishment in a sanitary condition.

(h) Adequate toilet facilities of sanitary type shall be provided.

(i) An adequate number of sanitary wash basins, with liquid or powdered soap, shall be provided in both the picking and packing rooms. Paper towels shall also be provided in the packing room.

(j) Signs requiring employees handling shrimp to wash their hands after each absence from post of duty shall be conspicuously posted in the picking and packing rooms and elsewhere about the cannery as conditions require.

(k) Equipment shall be provided for code marking cans or other immediate containers.

(l) Each processing retort shall be fitted with at least the following equipment:

(1) An automatic control for regulating temperatures.

(2) An indicating mercury thermometer of a range from 170° F. to 270° F. with scale divisions not greater than 2°. For steam cook such thermometers shall be installed either within a fitting attached to the shell of the retort or within the door or shell of the retort. For water cook such thermometers shall be installed in the door or shell of the retort below the water level. If the thermometer is installed within a fitting such a fitting shall communicate with the chamber of the retort through an opening at least 1 inch in diameter. Such fitting shall be

equipped with a bleeder at least 1/8 inch in diameter. If the thermometer is installed within the door or shell of the retort the bulb shall project at least two-thirds of its length into the principal chamber thereof.

(3) A recording thermometer of a range from 170° F. to 270° F. with scale divisions not greater than 2°. The bulb of such thermometer shall be installed as prescribed for the indicating mercury thermometer. The case which houses the charts and recording mechanism shall be provided with an approved lock, all keys to which shall be in the sole custody of the inspector.

(4) A pressure gauge of a range from 0 to 30 pounds with scale divisions not greater than 1 pound. Such gauge shall be connected to the chamber of the retort by a short goose-neck tube. The gauge shall be not more than 4 inches higher than the goose-neck.

(5) For steam cook, a blow-off vent of at least 3/4 inch inside diameter in the top of the retort.

(6) For steam cook, a 1/8 inch bleeder in top of retort.

(7) For steam cook, a baffle plate in the base of retort, unless retort baskets with perforated base plates are provided.

(m) Suitable space and facilities shall be provided for the inspector to prepare records and examine samples, and for the safe-keeping of records and equipment.

Refusal of Inspection and Cancellation of Application

3. (a) The Secretary of Agriculture may refuse inspection at any establishment for cause. In case of refusal he will notify the applicant of the reason therefor and return to such applicant the fees which accompanied the application, less any expenses incurred by the Food and Drug Administration for preliminary inspection of the establishment, or for other purposes incident to such application.

(b) The applicant may upon written notice to the Food and Drug Administration withdraw his application for inspection before an inspector is assigned to the establishment. In case of withdrawal, the Secretary will return to such applicant the fees which accompanied the application less any expenses incurred by the Food and Drug Administration for preliminary inspection of the establishment, or for other purposes incident to such application.

Uninspected Shrimp Excluded From Inspected Establishments

4. (a) No establishment to which inspection has been granted shall at any time thereafter can shrimp which has not been inspected under these regulations, or handle or store on the premises any canned shrimp which has not been so inspected; *Provided*, That this paragraph shall not apply to any establishment after termination of inspection therein as authorized by regulation 14.

(b) All shrimp delivered to or held in any establishment during any inspection period or subperiod shall be subject to inspection, but certificates of inspection will not be issued under these regulations on any shrimp except canned shrimp.

(c) Any shrimp condemned by the inspector as filthy, decomposed, putrid, or unfit for food shall be disposed of as provided for in regulation 5 (h).

Sanitary Operating Conditions

5. (a) The decks and holds of boats catching shrimp for any inspected establishment shall be kept in a sanitary condition. When necessary such boats shall be supplied with sufficient clean ice to maintain the shrimp under refrigeration until unloaded.

(b) Canneries, cannery freight boats, and other cannery conveyances shall accept only fresh, clean, sound shrimp.

(c) The decks and holds of all boats and the bodies of other conveyances transporting shrimp to the cannery shall be kept in sanitary condition. Shrimp delivered to or caught by such boats or delivered to such conveyances shall be iced down immediately with sufficient clean ice to maintain the shrimp under refrigeration until delivery to cannery.

(d) After delivery of each load of shrimp to cannery, decks and holds of each boat and the body of each conveyance making such delivery shall be washed down with clean, unpolluted water and all debris shall be cleaned therefrom before leaving the cannery premises.

(e) All portions of the establishment shall be adequately lighted to enable the inspector to perform his duties properly.

(f) As often as is necessary to maintain sanitary conditions, unloading platforms and equipment shall be washed with clean, unpolluted water, and all debris shall be cleaned therefrom.

(g) After each delivery to the cannery shrimp shall be handled expeditiously and under such conditions as to safeguard against contamination or spoilage up to the time of final processing.

(h) The packer shall immediately destroy for food purposes any shrimp in his possession condemned by the inspector as filthy, decomposed or putrid, or otherwise unfit for food. Shrimp condemned on boat or unloading platform shall not be taken into the ice box or picking room.

(i) Offal, debris, or refuse from any source whatever, shall not be allowed to accumulate in or about the cannery or premises.

(j) Offal from picking tables shall not be piled on the floor, but shall be placed in suitable containers for frequent removal, or shall be removed by flumes, conveyors, or chutes.

(k) No picked shrimp shall be returned to the picking table after delivery to the weigher.

(l) Where the shrimp, at any time after picking and until enclosed in the can or other immediate container, are transported from one building to another they shall be protected by properly covered containers.

(m) All floors and other parts of the cannery and all cannery fixtures, equipment, and utensils shall be cleaned as often as may be necessary to maintain them in sanitary condition.

(n) The packer shall require all employees handling shrimp to wash their hands after each absence from post of duty.

(o) The packer shall require all employees to observe proper habits of cleanliness, and shall not knowingly employ in or about the cannery any person afflicted with infectious or contagious disease.

Code-Marking Cans

6. (a) Cans and other immediate containers shall be marked with codes to show at least the date of packing and the establishment in which they were packed. Where shrimp are graded for size, the code shall also show the size, except in cases of glass containers. Such marks shall be affixed before the containers are placed in the processing retorts.

(b) Keys to all code marks shall be given to the inspector.

(c) The lot identified by each code mark shall be stored separately pending final inspection.

Processing

7. (a) The closure of the can and the time and temperature of processing the canned shrimp shall be adequate to prevent bacterial spoilage.

(b) The following processes shall be employed for the containers indicated:

DRY PACK

Kind of container	Liner	Size	Time at 240° F.	Time at 250° F.
Tin.....	One piece.....	211 x 400	85 minutes.....	60 minutes.....
Tin.....	One piece.....	307 x 203	85 minutes.....	60 minutes.....
Tin.....	One piece.....	307 x 315	90 minutes.....	70 minutes.....
Tin.....	Two pieces.....	211 x 400	80 pieces.....	62 minutes.....
Tin.....	Two pieces.....	307 x 203	80 minutes.....	62 minutes.....
Tin.....	Two pieces.....	307 x 315	85 minutes.....	60 minutes.....
Tin.....	Three pieces or no liner.....	211 x 400	70 minutes.....	53 minutes.....
Tin.....	Three pieces or no liner.....	307 x 203	70 minutes.....	53 minutes.....
Tin.....	Three pieces or no liner.....	307 x 315	75 minutes.....	57 minutes.....
Tin (High vacuum).....	Three pieces or no liner.....	307 x 203	65 minutes.....	

WET PACK

Kind of container	Size	Time at 240° F.	Time at 250° F.
Tin.....	162 x 300.....		10 minutes.....
Tin.....	211 x 400.....	20 minutes.....	10 minutes.....
Tin.....	307 x 203.....	20 minutes.....	10 minutes.....
Tin.....	307 x 315.....	23 minutes.....	12 minutes.....
Tin.....	402 x 510.....		15 minutes.....
Tin.....	603 x 700.....		15 minutes.....
Glass.....	2 to 9 fl. oz. inclusive.....	23 minutes.....	14 minutes.....

(c) For steam cook, blow-off vent shall be open during the coming-up period, until the mercury thermometer registers at least 215° F. Bleeders shall emit steam during the entire processing period.

(d) The inspector shall identify each record on the thermometer chart with the code mark of the canned shrimp to which such record relates and the date of such record. The packer shall keep such charts for at least one year, and upon request shall furnish them to any inspector of the Food and Drug Administration.

Testing of Samples

8. (a) Adequate samples shall be drawn by the inspector from the lot of canned shrimp identified by each code mark to determine whether or not such lot conforms to all requirements of the Federal Food and Drugs Act, amendments thereto, and regulations thereunder.

(b) The packer shall destroy for food purposes, under the immediate supervision of the inspector, any lot of canned shrimp condemned by the inspector as not complying with regulation 7 (a), or as filthy, decomposed, putrid, or unfit for food.

Labeling

9. (a) Labels on canned shrimp packed and certified under these regulations shall bear the mark "Production supervised by U. S. Food and Drug Administration", with or without the official establishment number. Such mark shall be plainly and conspicuously displayed in type of uniform size and style on a background of strongly contrasting color, and shall appear on the principal panel or panels of the label so as to be easily observable in connection with the name of the article.

(b) Two proofs or eight specimens of each label intended for use on inspected canned shrimp or on or within the cases therefor, shall be submitted to the Food and Drug Administration for approval. If proofs are submitted, eight specimens of the label shall be sent to the Administration after printing. The Food and Drug Administration is hereby authorized to approve labels for use on canned shrimp inspected under these regulations if such labels when so used comply with the provisions of the Food and Drugs Act, amendments thereto, and regulations thereunder. The Food and Drug Administration is also authorized to revoke any such approval for cause. The Administration shall not approve labels for canned shrimp intended for export under the provisions of regulation 10 (d).

(c) No commercial brand appearing on any label approved under (b) of this regulation, and no label simulating one so approved, shall be used thereafter on any canned shrimp other than that which has been inspected under these regulations: *Provided*, that this paragraph shall not apply to any packer's label after termination of inspection as provided in regulation 14, or to any distributor's label after three months' written notice by the owner thereof to the Food and Drug Administration that its use on inspected canned shrimp has been discontinued and will not be resumed.

(d) Canned shrimp labeling authorized by or approved under (a) or (b) of this regulation shall be used only as authorized by these regulations. Unauthorized use of such labeling renders the user liable to the penalties prescribed by the Food and Drugs Act, as amended.

Certificates of Inspection, Warehousing and Export Permits

10. (a) After finding any parcel of labeled canned shrimp identified by code marks to conform to all requirements

of the Food and Drugs Act, amendments thereto, and regulations thereunder the inspector shall issue to the packer thereof a certificate showing that such parcel so conforms. The certificate shall specify the code marks to which it applies, the quantity of the parcel so marked, the size of the containers, and the commercial brand appearing on the labels.

(b) Certificates shall be issued only for canned shrimp which bears labeling approved under regulation 9 (b).

(c) Any packer who desires to move unlabeled canned shrimp for storage in any warehouse elsewhere than on the premises where such shrimp was packed shall make application for warehousing on a form supplied by the Food and Drug Administration. Such application shall give the name and location of the warehouse in which such shrimp is to be stored, and shall be accompanied by an agreement signed by the owner or operator of such warehouse that inspectors shall have free access at all times to any such shrimp, and that conditions which will preserve the identity of each lot of such shrimp shall be continuously maintained pending compliance with the provisions of (e) of this regulation. If such application is approved and it appears to the inspector that any parcel of canned shrimp complies with regulation 7 (a) and is neither adulterated nor slack filled, the inspector or other appropriate officer of the Food and Drug Administration shall issue to the packer of such shrimp, on his request, a warehousing permit covering such parcel. Such permit shall specify the code mark to which it applies, the size of shrimp in the containers, the size of such containers, the quantity of the parcel so marked, the type of pack, and the place from which the shrimp is to be moved. When any provision of the agreement is violated, the Administration may revoke any permit so issued, and may also revoke its approval of the application of the packer for warehousing.

(d) The proviso of section 2 of the Federal Food and Drugs Act declares that no article shall be deemed misbranded or adulterated within the provisions of this Act when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped. Application for an export permit based on an order from a foreign purchaser for unlabeled canned shrimp or canned shrimp bearing or intended to bear labels which fail to comply with sections 8 and 10A of the Federal Food and Drugs Act, as amended, or regulations thereunder, only because of the absence of descriptive or informational declarations required thereunder, shall be made to the inspector. The application shall be accompanied by the order from the foreign purchaser and, if so required by the Food and Drug Administration, shall state whether or not such shrimp complies with the laws of the foreign country to which it is to be shipped. The inspector shall be directed to issue to such packer an export permit if such canned shrimp complies with the laws of the foreign country to which it is intended to be shipped and if the inspector finds that it complies with the provisions of these regulations regarding wholesomeness and sanitary conditions and that it accords with the specifications and directions of the foreign purchaser. If such order specifies labeled canned shrimp, six specimens of the label to be used thereon shall accompany such application. Such permit shall show the inspector's findings, the code marks on such shrimp, and the quantity thereof. The cases of such canned shrimp shall be plainly and conspicuously marked "For Export." The inspector shall not issue a certificate on such canned shrimp nor shall the packer distribute it within the jurisdiction of the United States. The packer shall furnish the inspector documentary evidence showing exportation of all such shrimp. No canned shrimp packed under the provisions of this paragraph shall be stored in any warehouse in the United States elsewhere than on the premises where such shrimp was packed, except on written permission of the Chief of the Food and Drug Administration Station within whose territory such warehouse is located.

(e) No canned shrimp shall be moved from an inspected establishment, except for destruction for food purposes under the immediate supervision of the inspector, or for storage authorized under (c) of this regulation, or for export authorized under (d) of this regulation, until a certificate for such shrimp has issued. No canned shrimp stored under the authority of (c) of this regulation shall be moved from the warehouse where stored, until a certificate or export permit therefor has issued.

Access of Inspectors to Establishments and Shipping Records

11. Inspectors shall have free access at all times to all parts of any establishment to which they are assigned and to freight and fishing boats and other conveyances supplying shrimp to such establishment. The packer shall keep for at least one year a record of shipments from each lot of canned shrimp identified by a code mark, and upon request of the inspector shall furnish the shipping records thereon.

Assignment of Inspectors and Periods of Inspection

12. (a) Except as provided by (b) and (c) of this regulation an initial assignment of one or more inspectors shall be made to each establishment granted inspection under these regulations. Thereafter, the Food and Drug Administration shall adjust the number of inspectors assigned to any establishment, or to any organization formed under the authority of (c) of this regulation, to the number required for continuous and official inspection.

(b) Upon the agreement of packers operating two or more neighboring establishments of small output to receive shrimp and operate such establishments at different specified times, and with the approval of the Food and Drug Administration, one inspector may be assigned to such establishments. The agreement shall bind each packer party thereto not to receive or handle any shrimp in his establishment except when an inspector is present in such establishment, and to be jointly and severally liable for the fees required by regulation 13. Applications for such joint inspection shall be submitted by each packer party to the agreement and shall be accompanied by a signed copy of such agreement, which shall specify the time each such packer will operate his establishment. For the purposes of regulation 13 the packers party to such agreement shall be regarded as one packer with one establishment.

(c) Upon the organization of packers operating a group of establishments in any locality under an agreement for cooperative inspection, and with the approval of the Food and Drug Administration, any number of inspectors requested by such organization may be initially assigned to such group of establishments. Applications for such cooperative inspection shall be submitted by each packer party to the agreement and shall be accompanied by a signed copy of such agreement, which shall designate an officer of the organization who shall be solely responsible for the apportionment of inspection service in the establishments of members of the organization. Such officer shall furnish means for any necessary transportation of inspectors between establishments. The agreement shall bind each packer party thereto not to receive or handle any shrimp in his establishment except when an inspector is present in such establishment, and to be jointly and severally liable for the fees required by regulation 13. For the purposes of regulation 13 each organization formed under the authority of this paragraph shall be regarded as one packer with one establishment.

(d) Applications by two or more packers for inspection of one establishment to be jointly or severally operated by them shall be accompanied by an agreement signed by such packers binding each to be jointly and severally liable for the fees required by regulation 13. For the purposes of regulation 13 the packers party to such agreement shall be regarded as one packer.

(e) Inspection shall be continuous for the entire inspection period; except that, upon application by the packer or by any organization formed under the authority of (c) or (d) of this regulation, and with the approval of the Food

and Drug Administration, any inspection period may be divided between one continuous subperiod in the fall season and one continuous subperiod in the spring season.

(f) The initial inspection period shall be for six months. In order to allow for the preparation of necessary facilities and the employment of competent personnel to maintain an adequate and efficient inspection service all initial inspection periods shall begin not later than September 15 of any year. All inspection periods or extensions of such periods shall terminate not later than June 30 of each year.

Inspection fees

13. (a) The packer shall pay to the Treasurer of the United States a fee of five cents for each case of canned shrimp packed by him during the initial inspection period; but in no case shall the payment be less than \$100 for each month of such period.

(b) An initial payment of \$300 shall accompany the application for inspection, or renewal thereof, as provided by regulation 1. A second payment of \$300 shall be made immediately after packing 5,000 cases, but in no event later than two months after the date specified in the application for the beginning of inspection: *Provided*, That if the Department of Agriculture is not prepared to begin inspection until after the date specified in the application, the second payment of \$300 shall be made not later than two months after the date on which inspection is begun.

(c) When any packer desires extension of the inspection period in any establishment beyond six months, but in no case beyond June 30 of any year, he shall apply therefor on a form provided by the Food and Drug Administration. The packer shall pay to the Treasurer of the United States a fee of five cents for each case of canned shrimp packed by him during the extended inspection period; but in no case shall the payment be less than \$100 for each month's extension desired. Application for an extended inspection period shall be accompanied by a payment to the Treasurer of the United States of \$100 for each month's extension desired: except that when such extension is for a period of three or more months, payment of one-half the prescribed fee may accompany the application; payment of the second half shall then be made immediately after packing 2,000 cases, but in no event later than one month after the date specified in the application for the beginning of such extension: *Provided*, That any excess fees paid under (d) of this regulation remaining to the credit of the packer at the time an extended inspection period is approved may be applied, upon a written request by the packer, to the payments required for extension: *Provided further*, That if because of curtailed production, or for other cause, the fees prescribed in this paragraph, together with the fees collected under (a) of this regulation and any available sum appropriated by Congress toward the expense of this service, are not sufficient to defray the costs of the inspection service during the extended inspection period, the Department of Agriculture, after due notice to the packer, may require such increase as may be deemed necessary in the minimum monthly fee and the fee for each case of canned shrimp packed during the extension period.

(d) The packer shall make advance payments of any additional fees required under (a) of this regulation whenever necessary to prevent arrears in payment of such fees. Each such payment shall be not less than \$250 unless the Food and Drug Administration on an estimate of probable output authorizes payment in other amount. The Treasurer of the United States will refund to the packer, after termination of the inspection period, any excess payment so made.

(e) If unlabeled canned shrimp is stored and expense is thereafter incurred in the final inspection of such shrimp for the purpose of issuing a certificate or export permit thereon, the packer shall pay to the Treasurer of the United States a fee to cover all expenses for salary, travel, or subsistence, incurred in such inspection, in accordance with the regulations of the Department of Agriculture.

(f) All payments required by these regulations shall be by New York draft, certified check, or cashier's check,

drawn to "Treasurer, United States." All such drafts or checks, except for the fees required by regulation 1, shall be delivered to the Inspector for transmission to the Treasurer of the United States.

(g) For the purposes of this regulation a case of canned shrimp shall be 48 No. 1 cans (211 x 400), or the equivalent thereof.

Suspension and Termination of Inspection

14. (a) The Food and Drug Administration may suspend and the Secretary of Agriculture may withdraw inspection in any establishment (1) upon failure of the packer to comply with any provision of these regulations, or (2) upon the dissemination by the packer or his agent of any representation which is false or misleading in any particular regarding canned shrimp packed under the inspection service provided by these regulations.

(b) When inspection is suspended or withdrawn in any establishment under authority of (a) of this regulation, the Treasurer of the United States will not refund any balance of advance fees paid for such establishment, nor will the Department of Agriculture, in case of suspension of inspection, lengthen the inspection period to compensate for time lost while the suspension is enforced.

(c) The packer, on or after June 30 of any year, but before the resumption of packing thereafter, may terminate inspection under these regulations by giving written notice of such termination to the Secretary of Agriculture.

[F. R. Doc. 37-1702; Filed, June 8, 1937; 12:54 p. m.]

FEDERAL HOME LOAN BANK BOARD.

INCREASE OR DECREASE OF FEDERAL HOME LOAN BANK STOCK HELD BY MEMBER INSTITUTIONS

AMENDMENT TO RULES AND REGULATIONS

Be it resolved, That pursuant to authority vested in the Federal Home Loan Bank Board by Section 17 of the Federal Home Loan Bank Act (12 U. S. C. 1437), Subsection (b) of Section 26 of the Rules and Regulations for Federal Home Loan Banks is hereby amended by adding at the end thereof the following paragraph:

The board of directors of any bank may increase or decrease the amount of stock of any member from time to time so that the stock held by each member shall conform to the provisions of Section 6 (c) of the Act. In any case in which the amount of stock held by a member is decreased upon proper application of such member, the bank shall pay for each share of stock, upon its surrender, an amount equal to the value thereof, which value shall be determined as provided in Section 6 (1) of the Act, or, at its election, apply the whole or any part of such payment as a credit upon the indebtedness of the member to the bank. In no case shall there be a reduction in the amount of stock held by any member to an amount less than that required by Section 10 (c) of the Act. The board of directors of any bank may, by resolution designate the duly constituted executive committee or any officer of such bank to exercise the powers granted by this paragraph.

Adopted by the Federal Home Loan Bank Board on June 7, 1937.

[SEAL]

R. L. NAGLE, *Secretary*.

[F. R. Doc. 37-1692; Filed, June 8, 1937; 9:29 a. m.]

Home Owners' Loan Corporation.

[Manual Amendment]

PLACING UNDER CONTROL AND GENERAL SUPERVISION OF THE GENERAL COUNSEL CONSUMMATION OF AGREEMENTS FOR THE SALE OF ACQUIRED REAL ESTATE

Be it resolved, That pursuant to the authority vested in the Board by the Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647), and particularly by Sections 4 (a) and 4 (k) of said Act, as amended, Chapter VI of the Manual is hereby amended by the addition of a new

Section, to be designated Section 616, which shall read as follows:

Agreements for the sale of real estate executed by the Corporation shall be consummated under the control and general supervision of the General Counsel who is authorized to issue all necessary instructions relating thereto. He is authorized also to permit or approve such deviation in and from approved forms or procedure promulgated hereunder as he may deem proper with respect to specific cases. The General Counsel, with the approval of the General Manager, is further authorized to permit deviation from such procedure with respect to particular localities and to make or authorize such adjustments in consummating sales as may be in the Corporation's interest. Other departments or divisions shall furnish to the Legal Department any necessary information or assistance within their province in connection with the consummation of sales. The authority herein conferred may be exercised also by Regional, State or District Counsel under procedure and limitations prescribed by the General Counsel with the approval of the General Manager.

Adopted by the Federal Home Loan Bank Board on June 7, 1937.

[SEAL]

R. L. NAGLE, *Secretary*.

[F. R. Doc. 37-1693; Filed, June 8, 1937; 9:29 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 104]

ALLOCATION OF FUNDS FOR LOANS

JUNE 7, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Mississippi 23A Copiah.....	\$205,000
Tennessee 17 Hardeman.....	13,200

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 37-1690; Filed, June 7, 1937; 3:03 p. m.]

[Administrative Order No. 105]

ALLOCATION OF FUNDS FOR LOANS

JUNE 7, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Alabama 23 Pike (partial).....	\$105,000
Kentucky 27A Boyle (partial).....	50,000
Mississippi 21B Coahoma (additional).....	10,000
Oregon 14 Umatilla.....	129,000
Washington 14 King (additional).....	6,200
West Virginia 8G Hardy.....	45,000
West Virginia 10 Harrison.....	211,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 37-1691; Filed, June 7, 1937; 3:03 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TRANSWESTERN ET AL-BELLE MCGREW TRACT, FILED ON JUNE 1, 1937, BY W. E. COOK, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offer-

ing sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, herein-after enumerated, to wit:

(1) In that the smallest fractional interest offered by means of the offering sheet is not correctly expressed in Division II, Item 1;

(2) In that in Division II, Item 13, no statement is made as to the approximate number of wells now drilling;

(3) In that in Division II, Item 20 (e), the figures given are not believed to be correct by reason of the fact that it appears the prorata deduction for taxes has not been made;

(4) In that the proposed instrument of conveyance, attached to the offering sheet as "Exhibit B", is incomplete;

(5) In that one of the signature forms required to be included as a part of the offering sheet, is omitted;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered, that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1699; Filed, June 8, 1937; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-"L" COMMUNITY TRACT, FILED ON JUNE 1, 1937, BY RAYMOND F. KELLY, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the date upon which the information contained in the offering sheet will be out of date, as set forth in Division I, paragraph 8, is not correct;

(2) In that the lease boundaries of the tract involved, required to be shown in Exhibit A, are omitted;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1700; Filed, June 8, 1937; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-"L" COMMUNITY TRACT, FILED ON JUNE 2, 1937, BY HARRY A. MEDLEY, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the date upon which the information contained in the offering sheet will be out of date, as set forth in Division I, paragraph 8, is not correct;

(2) In that the figures set forth in Division II, Items 16 (c) and (d), for the month of June, 1936, and March and April, 1937, are not believed to be correct;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place

to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1695; Filed, June 8, 1937; 12:36 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MAGNOLIA-HARRIS TRACT, FILED ON JUNE 1, 1937, BY ROYAL PETROLEUM CORPORATION, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that in Division II, Item 10, no statement is made as to whom the proration tax, health tax and Federal tax are payable;

(2) In that in Division II, Item 20 (b), the gross production of water from the tract involved is not set forth in percentages, by months, as required by the Rules and Regulations of the Commission;

(3) In that in Division II, Item 20 (e), the figures given do not disclose the actual net pay-off by reason of the fact that it appears the proportionate share of the taxes have not been deducted;

(4) In that the proposed instrument of conveyance, attached to the offering sheet as "Exhibit B", is incomplete;

(5) In that the statement made in Division II, Item 21, is not responsive to the question asked and might, therefore, be misleading;

(6) In that one of the signature forms required to be included as a part of the offering sheet, is omitted;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1694; Filed, June 8, 1937; 12:36 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE UNION-MAHONEY TRACT, FILED ON JUNE 1, 1937, BY ROYALTY GROUP CORPORATION, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND
NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the date upon which the information contained in the offering sheet will be out of date, as set forth in Division I, paragraph 8, is incorrect;

(2) In that the statement is made in Division II, Item 10, that at the present time there is not a market for all of the oil produced on the tract, but no statement is made, as required, relative to the portion which now has a market available;

(3) In that the total production of oil from the tract, as set forth in Division II, Item 15, is not believed to be correct and does not agree with the gross production of oil as given by months in Division II, Item 16 (a);

(4) In that there is included in Division II, Item 16 (a), estimated figures for May, 1937, which estimated figures may not properly be included in said item;

(5) In that the net production and monthly pay-off figures set forth in Division II, Items 16 (c) and (d), for the month of January, 1937, are not believed to be correct;

(6) In that the production figures given in Division III, Item 4 (b), may not be correct by reason of the fact that they are not in accord with the true production figures required to be given in Division II, Items 15 and 16;

(7) In that if the production figures set forth in Division III, Item 4 (b), are incorrect, the figures contained in Division III, Items 4 (c) and (d), may be incorrect;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1696; Filed, June 8, 1937; 12:36 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CONTINENTAL-YOUNG TRACT, FILED ON JUNE 1, 1937, BY T. G. THOMPSON, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND
NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

In that the statement made in Division II, Item 16 (a) (iii), relative to the gross production of water from the tract involved, is not believed to be correct;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1698; Filed, June 8, 1937; 12:37 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE USCAN-PHILLIPS-BEMIS TRACT, FILED ON JUNE 1, 1937, BY R. L. WILLIAMS, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND
NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the Gen-

eral Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the information given in Division II, Item 16 (a), relative to the gross production of oil and water from the tract involved, is not current, and is not believed to present the true condition of the fluid production from said tract; that current information relative to the fluid production from said tract is available to the offeror, and should be set forth in the offering sheet to make the information therein given not misleading;

(2) In that the scale of the property, required to be given as a part of Exhibit A, is omitted;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1697; Filed, June 8, 1937; 12:37 p. m.]

Thursday, June 10, 1937.

No. 111

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[Docket No. A-46 O-46]

NOTICE OF HEARING WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER REGULATING HANDLING OF CELERY GROWN IN STATE OF FLORIDA

Whereas, under the Agricultural Adjustment Act, as amended and as reenacted by the Agricultural Marketing Agreement Act of 1937, notice of hearing is required in connection with a proposed marketing agreement or a proposed order, and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration provide for such notice; and

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the issuance of an order will tend to effectuate the declared policy of said act with respect to celery grown in the State of Florida;

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing on a proposed marketing agreement and a proposed order regulating the handling of celery grown in the State of Florida to be held in the Chamber of Commerce Building, Sanford, Florida, on June 25, 1937 at 9:30 a. m.

The proposed marketing agreement and order provide for the regulation of the handling of celery produced in the area stated, and, among other things, provision is made

for: (a) the establishment of a Control Board, (b) limitation of shipments by means of period proration, and (c) assessments for expenses of administration.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act and as to the specific provisions which a marketing agreement and order should contain.

Copies of the proposed marketing agreement and the proposed order may be inspected in or procured from the office of the Hearing Clerk, Room 0318, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

M. L. WILSON,

Acting Secretary of Agriculture.

Dated: June 8, 1937.

[F. R. Doc. 37-1703; Filed, June 8, 1937; 1:26 p. m.]

Commodity Exchange Administration.

United States of America—Before the Secretary of Agriculture

[Docket No. I C. E. A.]

ORDER REVOKING REGISTRATION AS FUTURES COMMISSION MERCHANT UNDER THE COMMODITY EXCHANGE ACT

SECRETARY OF AGRICULTURE, COMPLAINANT, v. DANIEL A. DE LATTRE, RESPONDENT

Proceedings

This is a proceeding under the Commodity Exchange Act which was instituted by the Secretary of Agriculture by a complaint on May 13, 1937.

In the complaint it was alleged that Daniel A. De Lattre, hereinafter called the registrant, filed with the Department of Agriculture on August 31, 1936, an application on Form 1-R for registration as futures commission merchant pursuant to said act and the rules and regulations of the Secretary of Agriculture; that a registration was issued by the Secretary of Agriculture on September 4, 1936; that the registrant was expelled from membership in a commodity exchange, namely, the Chicago Open Board of Trade, pursuant to the action of the board of directors of that exchange on March 16, 1937; and, that the registrant violated said act and section 305 of the rules and regulations governing registration, as amended, made and promulgated by the Secretary of Agriculture pursuant to said act in that said registrant failed to report on Form 3-R the fact of the expulsion referred to above within ten days after the date thereof. Said registrant was notified to appear at a hearing at 10 a. m. on June 7, 1937, at Washington, D. C., before a referee to be designated by the Secretary of Agriculture and show cause, if any there be, why the registration of said registrant should not be suspended or revoked.

The complaint was duly served upon the registrant, and on May 26, 1937, said registrant waived a hearing in this proceeding and the right to submit evidence therein, consenting and agreeing that his registration as futures commission merchant be revoked by the Secretary of Agriculture.

Findings of Fact

The Secretary finds (1) that Daniel A. De Lattre filed an application on August 31, 1936, on Form 1-R for registration as futures commission merchant pursuant to said act and the rules and regulations of the Secretary; (2) that registration was issued by the Secretary of Agriculture on September 4, 1936; (3) that said registrant was expelled from membership in a commodity exchange, namely, the Chicago Open Board of Trade, pursuant to action of the board of directors of that exchange on March 16, 1937; (4) that said registrant has violated said act and section 305 of the rules and regulations governing registration, as amended, made and promulgated by the Secretary of Agriculture pursuant to said act in that said registrant failed to report the fact of such expulsion within ten days after